Tells the Facts and Names the Names

CounterPunch

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"It Was Like Fire"

Exxon's Deadly Air

For years along Highway 24 in Southern Louisiana, signs lined both sides of the road warning passers-by that the sudden stench they encountered came courtesy of the local oil field waste site, Campbell Wells. "If you are reading this sign you are being exposed to toxic chemicals," one read. Next to it, sat a skull and crossbones above the plea, "Somebody help."

This road to the tiny community of Grand Bois, where Cajuns and Houma Indians have lived together since the turn of the last century, was dubbed the "Campbell Wells Hall of Shame."

But these landmarks are now gone after the first trial against Exxon Corp. and Campbell Wells, the former owners of the site now owned by U.S. Liquids, came to a close August 9. Almost the entire town filed suit against the two companies after trucks dumped 81 loads of oil field waste there in March of 1994.

Although it's been exempt from pollution rules since 1980, waste from the production of oil and gas contains heavy metals such as arsenic and barium, which can cause lead poisoning, as well as carcinogens like benzene and hydrogen sulfide. Residents are convinced that these chemicals have kept them sick.

Campbell Wells settled a few days before the verdict. In a sealed agreement, the company agreed to close four of the site's 16 pits and build a large levee next to the waste site within four years. In return, the plaintiffs agreed to tear down the line of road signs and never complain about the site. They also received an undisclosed sum, thought to be $7 million. More than half of that will go to their lawyers. Residents say they plan to divide what's left with the rest of the town.

After the plaintiff's attorneys accused Exxon of withholding evidence, and one of its engineers admitted he had lied to state regulators, the jury awarded $35,000 from Exxon to four of the 11 plaintiffs for mental and physical suffering.

On an unusually mild August day, two of the plaintiffs, Anna Matherne and Joyce Dominique, pore over the pile of documents Dominique has collected from their four-year experience. Dominique appears healthy for her age, but she recently learned she is in the opening stages of bone cancer. Like other residents and workers exposed to the toxic cocktail Exxon dropped off four years ago, she complains of a host of maladies: diarrhea, skin rashes, muscle spasms and numbness, bloody urine, a burning throat and bad headaches. "I walked outside and it was like fire," Dominique says of that day in March. "I couldn't breathe."

Matherne said that it isn't just chance that an oil field waste pit is so close to their homes. "We're down the bayou," she said, using the local term for poor people and Indians. "We're expendable."

Dominique's maladies are almost certainly a consequence of a carefully crafted amendment to the Resource Conservation and Recovery Act, or RCRA. This law was undermined from the start by an exemption, cooked up by the oil industries, decreeing that byproducts of oil and gasoline exploration and production would not be considered hazardous. Thus did the oil men nullify one of the pointed aims of RCRA. The exemption was to last until "further study by the Environmental Protection Agency (EPA)."

Most of the 1980s had chugged by before the EPA finally finished its study in 1987. The authors of the EPA report acknowledged demurely that the waste had already caused some damage. The report stated, "There appear to be some instances in which endangerment of human health

("Grand Bois", *continued on page 6)*

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Our Little Secret

Something About Al

As Congress pores over one of the most obsessive accounts of human behavior—Starr's narrative of the Bill/Monica encounters—since the Spanish Inquisition, Al Gore more than ever recedes into the political equivalent of Jasper Johns "White on White." In his effort to shun the limelight, he's reached a stage of total transparency. One imagines his Secret Service body guards frantically trying to locate his impalpable essence, as he flits about his Vice-Presidential quarters at the Naval Observatory. Let us therefore evoke some more vivid images of Al Gore as he assailed the eyes of a BLM ranger at the bottom of the Grand Canyon a couple of summers ago.

As plump a cargo of family values as has ever taken to the waters of the Colorado River, Al, Tipper, the Gore children, their friends, the Secret Service detail, plus river guides embarked. As the Gore flotilla floated downstream it met a BLM ranger who has confided his subsequent observations to CounterPunch. The Gores and their retinue alighted at a sandbar and lazed in the pleasant Arizona sun. Even the Secret Service men relaxed. At this torpid moment, two stunt planes shattered the peace of the canyon, diving low over the river and skimming only a few hundred feet above the Gore party. Apparently his innumerable speeches on the menace of international terrorism sprang to the mind of the startled Gore and he barked frantically at the Secret Service men to chase down the intruders. Twenty minutes later an Air Force plane summoned by the Secret Service showed up, but by that time the stunt planes had vanished over the horizon.

The flotilla took to the water again. Gone was the mood of pleasant lassitude. The Secret Service had their guns at the ready and the Vice President himself eyed every inlet with trepid vigilance. Half an hour later our BLM friend headed his own raft downstream. As he rounded a bend, the following scene met his gaze. The Vice-President was standing in the back of his own raft, pissing into the Colorado, still keeping a wary eye out for terrorist onslaught. On seeing the BLM his hand flew to his golf shorts, tugging fiercely at the zipper with, it appeared to our BLM friend, painful results. Displeased, the Vice-President dispatched the Secret Service agents to question the ranger. Later, not content with this interrogation, Gore himself advised the BLM ranger that in the future he should give full and fair warning of his movements on the river.

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South of the Border

In its last issue before it closed its doors, the National News Reporter published a revealing account of a conference recently held in Chicago for American companies wanting to relocate to Mexico. One of the chief speakers at the affair—which was co-sponsored by the US-Mexico Chamber of Commerce and Chihuahua Now!, a development arm of the Mexican government—was Federico Barrios, head of a Mexican construction firm called Lintel.

"First off", Barrios explained to his rapt audience of about 100 American business executives, "the basic reason that companies come to Mexico is labor: the low-cost, very productive labor you will find in Mexico." Low, indeed. According to Barrios, "fully-loaded" per person labor costs, including attendance bonuses and other benefits mandated by Mexican law, come to between $1.50 and $2 per hour.

Of course, everything's relative, Barrios conceded. "Wages in China are a fraction of what they are in Mexico," but if factors such as access to the US market are calculated, Mexico offers "that combination that will allow you to compete very successfully in the world market."

Also addressing the crowd was Hugo Dubovoy, a partner at the international law firm of Baker and McKenzie. Dubovoy explained that the real point of NAFTA was to fully incorporate Mexico into the American economy, since the trade deal basically ensures that Mexico maintain forever the "free-market" policies so beloved in Washington. "[NAFTA] takes away the freedom of the parties of changing their laws," he said. "If there were any changes in Mexican law that contradicted NAFTA, they would not apply. NAFTA would prevail."

Roger Kerson, who infiltrated the conference and wrote the story, says that his other major discovery at the event was that "businessmen are really, really boring. They passed out their notes, they displayed their notes on a computer-driven overhead projector, and then they read to us verbatim from those same notes."

Oil and Feathers

Anyone innocent of the complex relationship nourished by America's leading environmental organizations might suppose that there are few entities more antipathetic to each other than oil companies and organizations dedicated to the protection of birds. Not so. For many years now, to take one bracing example, the National Audubon Society has rejoiced its revenue stream from the oil wells located within Rainey Wildlife Preserve in Louisiana.

And now CounterPunch can offer further entertaining examples of the fraternal ties between the oil giants and the bird people. It comes in the form of the board of directors of the Audubon Society. Mustered here are: Reid Hughes, a resident of Daytona, former president of Hughes Oil Company who has been honored with the highest award from the American Petroleum Institute. Hughes has now entered another profession not normally associated with the protection of birds, the real estate development business.

Also on the board of National

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Audubon is John Whitmire of Houston, Texas. Until 1996 he was executive vice president of the Phillips Petroleum Corporation for exploration and production. He now serves as chairman and CEO of the Union Texas Petroleum Company. In addition to board duties for the Audubon Society, Whitmire finds time in his busy schedule to sit on the board of what is generally thought to be one of the environmentalists' most rabid antagonists, the American Petroleum Institute.

Those mourning the cranes, herons and cormorants killed by oil spills would no doubt be interested to examine the minutes of the API board sessions to see whether Mr. Whitmire is taking a properly pro-bird position as the API pushes for the opening of Alaska's Arctic plain for oil exploration, one of the last great bird habitats in the world.

KNOW THY ASYMMETRY

During the Cold War, the military-industrial complex needed only to point to the Soviet Union and Congress would immediately sign over a check to cover yet another Pentagon boondoggle. Following the collapse of the Soviet Union, the Pentagon and the arms became eager to line up a new "threat".

The situation has grown desperate. Russia has collapsed. Other candidates for Public Enemy No. 1 - especially China and "rogue nations" such as North Korea — have failed to galvanize the public. Most recently, the Pentagon has begun alluding to the hideous danger posed by "asymmetric niche competitors". This could be an ethnic tribe, a drug lord or army, organized crime or a terrorist group. Hence, the US needs to maintain dominance across the military spectrum in order to assure that the enemy has no Achilles Heel to exploit.

Lieut. Gen. Jay Garner, who until the summer of 1997 was assistant vice chief of staff of the U.S. Army, laid out the core of the emerging theory in a 1997 issue of Phalanx: The Bulletin of Military Operations Research. Garner alluded to a number of horrifying threats to national security, including the always handy menace posed by long-range missiles, but his chief concern is an opponent's use of "asymmetric strategies and tactics". For example, the enemy might well locate its command and control headquarters in a retirement home or use refugees as human shields on weapons platforms. This, warned Garner, could "significantly reduce our technological overmatch and "render U.S. military superiority impotent".

Garner believes it is imperative that the Pentagon not "fall prey to reliance on a one-dimensional panacea to meet the multidimensional threats of asymmetric niche warfare". Translation: full speed ahead with every nutty idea dreamed up by the defense industry.

Incidentally, upon retiring Garner took up the post of president at a California-based defense contractor called SY Technology. His job will be to increase "the Company's defense related commercial and international business."

"We'd been warned about Gitlin outbreaks," sorting room supervisor Bob Mandrake said.

THE PRINCE OF DULLNESS

Anyone fired by Mort Zuckerman can't be all bad, but James Fallows' recent dismissal as editor of US News should not be interpreted as a blow against independent journalism, as the Fallows claque claimed. On this account, Fallows was canned because he doggedly refused to cover fluff like the death of Princess Di. Instead, he fought for meatier and more mature coverage, thereby earning Zuckerman's wrath.

In fact, the Fallows crew produced some of the dullest issues in the history of news magazines. Of particular note was a cover story on volunteerism written by Steve Waldman, a subject that is still too painful to discuss for some US News staffers. The issue sold only 18,000 copies at newsstands, about one-third of the normal rate.

One would have thought that the issue's flop would have been a lesson for Fallows and Waldman. Instead, the two were soon excitedly planning a special issue on volunteerism! Fortunately, the idea was ultimately discarded on the ash heap of history.

NEW GITLIN PERIL

US Army Chemical Units in full protective clothing moved through US Postal Service sorting centers and magazine warehouses late this summer, seizing copies of Time magazine and shipping them west for destruction at the US government facility in Utah. Prompting the emergency action was what an Army spokeswoman described as, "Extremely dangerous Gitlin releases".

The scare began when fellow workers noticed Ezzard Charles, Jr., Post Office sorting clerk in New York, flipping through an issue of Time that had come free of its bundle. "Then his hand went to his throat", said Shirley Helmslow. "He gave a sort of strangled gasping sound. He slumped across the sorting table." After a minute, Charles briefly revived enough to mumble what Helmslow identified as "A sound like...Gitlin." "We had been warned about Gitlin outbreaks", sorting room supervisor Bob Mandrake adds. "So we looked to see what Ezzard had been reading, and there it was."

A Time story in late August contained the following sentence: "There is no sign the media are ready to give up their preoccupation with sexual conduct...New York University professor Todd Gitlin predicts the issue will arise long before the primaries, when protocandidates are trying to make themselves look viable. 'If the candidates can make merry with comparison with Clinton', Gitlin says, 'this is probably very bad news for a potential candidate.'"

On the Gitlin meter this rated as a "significant" toxic emission, but not one requiring full emergency procedures. But then a horrified Mandrake found another page from Time that Charles had apparently tried to tear out and incinerate in a courageous effort to save his colleagues.

"'This whole thing is terrible,' says Todd Gitlin, a professor of culture, journalism and sociology at New York University. 'I'm full of disgust with what has become of this country and I hold the media crucially responsible. What has happened is that in the glee, sometimes even the guilty glee, of enthusiasm for this story, the press has sent a very clear signal to the public that it lives in a different world than the world of a self-governing democracy.'"

"As soon as I saw that", says Mandrake, "I knew we had a full-blown crisis on our hands, and so we went straight to a Status One procedure." Status One, a standing court order signed by a federal district court judge, permits seizure of Gitlin-contaminated material. ■

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The Trouble With Harry

Anslinger and the Racist Roots of the Drug War

Over the course of its obscure existence, the Federal Bureau of Narcotics, FBN, which rarely numbered more than 300 agents, conducted one of the most aggressive law enforcement endeavors of all time. Indeed, from 1930 through 1968, FBN agents put more bodies in federal prison than any other federal agency.

But there was danger. In making complex conspiracy cases against a slew of international drug smugglers, FBN agents were always on the verge of uncovering governmental ties to crime. And the only thing that kept this unsavory fact from becoming a public relations disaster was Harry J. Anslinger, the FBN's commissioner from 1930 to 1962.

Having married the niece of Andrew Mellon, Anslinger had tremendous prestige with the press corps and the Washington elites. His expertise in national security affairs (gained as a State Department foreign officer) and law enforcement (he was a captain in the Pennsylvania Railroad police) made him a highly regarded figure both in Congress and in the "community" of diplomats, spies, corporate executives and judges.

There is many a stain on Anslinger's mystique. As Commissioner of Narcotics, he orchestrated policies and law enforcement practices that did grievous harm to black America. He falsely linked pot smoking with heroin addiction; he cast drug addiction as a crime not a medical problem; and his rogues gallery of addicts featured "Negro" sex fiends, high on cocaine, overwhelming white women.

In the 1930s and 1940s, such agitprop fanned the hatred and ignorance that made lynchings a fact of life in the South. These Anslinger-made policies and attitudes still exist and are as dangerous and unjust today as they were in the past. Now several former FBN agents have decided to relate their personal experience from the 1950s and 1960s, so that the public can better understand how the drug wars developed and how they became a conscious but cleverly concealed effort to enforce racial segregation.

Racial segregation pervaded American society well past World War II. For example, it was not until 1950 that black doctors were allowed to practice in Washington, DC hospitals. This change came about only after Oscar Ewing, the director of the Federal Security Agency noted that black children were not getting enough medicine to meet their needs. Although fiercely opposed by the American Medical Association and dubbed "Mr. Welfare State Himself," Ewing called for comprehensive prepaid health coverage, financed through Social Security. Included in this coverage would be treatment, financed by the government, of drug addiction as a medial problem.

Ewing's approach was soon undermined by Anslinger and his allies, who successfully promoted the notion of drug addiction as a matter for law enforcement.

"We few black agents, maybe eight in the whole country at any one time, had indignities heaped upon us."

This issue, of course, has been used to pursue a racist agenda against American blacks. Ironically, as a function of racial segregation, it even hurt black FBN agents.

"I always wanted to be a federal agent," recalls William Davis, a graduate of Rutgers University. "I applied to the FBN and was hired in the summer of 1951. But I soon found out there was an unwritten rule that black agents could not hold positions of respect. They could not become group leaders, nor could they manage or give direction to whites. We few black agents, maybe eight in the whole country at any one time, had indignities heaped upon us."

As an example he cites Wade McCree, a pharmacist and chemist who, while working as an FBN agent in the 1930s, developed Mother McCree's Goose Grease. McCree had written a letter to Eleanor Roosevelt complaining about Southern prosecutors, who insisted on calling him "nigger". After learning of McCree's letter, Anslinger's legal staff charged McCree with using the FBN's lab to create his patent medicine. McCree was fired.

"We went through hell," says Davis. "The stress was tremendous. We wanted to be accepted as full-fledged agents, not just blacks doing the bidding of whites. But even though in many cases we were better educated, and could write better and testify better, we weren't. They'd come by and say, 'I want to use him today.' They'd have us make undercover buys, and try to cover us, then they would take the evidence so they could mark it up and get credit. And if we complained, we got harrassed."

The black agents had to survive the heaviest stress "We had to watch our backs not just from the crooks, but from the white agents who didn't want us moving out of our place," Davis continues. "And we were held to a higher standard."

"We had an interrogation room in New York with a two way mirror," Davis recalls. "I was standing outside, looking in. An agent I'll call Mr. Tex had a man stripped naked and was calling him nigger. I went in and asked Mr. Tex to step outside. Then I asked why he was abusing the man. He said, 'If they won't come up to my level, then I have to go down to theirs.' I told Mr Tex not to use the word nigger again, and that if he used it around me, I wouldn't let it drop. But he wouldn't speak to me again. Then everyone started saying I was too thin-skinned."

Harry Anslinger's role in fostering these practices is clear, as a few former white agents have detailed. George Corcoran, for example, joined the FBN in 1955 and began working in Philadelphia. Corcoran's supervisor was an old prohibition agent and as Corcoran recalls, "Bransky would take me and another older agent with him to Washington to socialize with Anslinger. These old guys would drink bourbon and talk about putting the black agents, whom they called 'niggers', on the merry-go-round."

The merry-go-round's rationale was that black agents, who worked exclusively undercover, became too well known in any particular city after a year or two, and had to be rotated. The dirty little secret, of course, was that in the process they were never in one office long enough to exert any concerted influence.

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The merry-go-round was an integral aspect of Anslinger's unique approach to law enforcement, an approach that relied upon undercover work, a practice which in turn emanated from the Robber Baron tactic of using agents provocateurs to incite labor strikes, which were then quashed by private police forces and thugs in their employ. Having been a captain in the Pennsylvania railroad police, Anslinger was well-versed in the techniques of secret provocation.

Anslinger's undercover agents made it a practice to "create a crime" that otherwise occurred secretly between a buyer and seller of illicit narcotics, neither of whom would ever engage a narcotic agent in the transaction. It is important to understand that in the course of creating a buy and a sale, FBN agents relied on a number of ruses, like illegal wiretaps, and early in their history developed an antipathy for liberal judges and lawyers who used legal "technicalities" to let criminals escape justice. In their wrangling with the justice system, FBN agents tended to view the Bill of Rights as an obstacle, and they developed an unwritten code to get around it.

Like all undercover agents, blacks were targeted against addicts of their own race. By turning addicts into informants, the FBN then worked its way up the food chain of drug peddlars to the suppliers. But in so far as most drug addiction in the 1950s and 1960s was concentrated in black ghettos, black undercover agents laid the foundation for almost every important conspiracy case the feds made against the largely Italian, Chinese, French-Corsican and Jewish criminal syndicates that imported heroin into the US.

For example, the Joe Valachi case began in 1959 with the arrest of a black addict named Helen Streat. Based on her information, FBN agents made a series of street level cases which led to her supplier, John Freeman, a powerful black gangster from Detroit who lived in Queens and dealt heroin in Harlem and Chicago. Freeman was supplied by Valachi, and through the daring undercover work of FBN agent Charlie McDonnell, Freeman was eventually busted. And as a result of the Freeman case, the FBN squeezed Valachi into ratting out the Mafia.

Add another piece to the puzzle of an unwinnable drug war waged largely against black Americans: the Harrison Act of 1914, which restricted legal access to opiated patent medicines. Aware of the healing power and "hook" of narcotic drugs, criminals realized that poor people would have no choice but to look to the black market to satisfy their needs. These same criminals formed an accomodation with the police, in which illegal narcotics were allowed to be smuggled to undesirable minorities.

There is no doubt that this modus vivendi between the criminals and the police existed and continues to exist today for the same simple reasons. "We made cases in black neighborhoods because it was easy," says Clarence Giárusso, a New Orleans narcotics agents since 1950 and the city's police chief through the 1970s. "We didn't need a search warrant. It allowed us to meet our quota. And it was on-going. If I find dope on a black man, I can put him in jail for a few days. He's got no money for a lawyer and the courts are ready to convict. There's no expectation on the jury's part that we have to make a case. So rather than go cold turkey the addict becomes an informant, which means I can make more cases in the neighborhood. Which is all we're interested in. We don't care about Carlos Marcello or the Mafia. City cops have no interest in who brings dope in. That's the job of the federal agents."

"There wasn't a drug deal on the South Side of Chicago that didn't pass through the police to the politicians."

FBN agents knew that the accomodation involved collusion between local cops and gangsters in the movement of illicit drugs to undesirable minorities. Martin Pera joined the FBN in 1949, working in Chicago. "The job was so weird it attracted me," Pera says. "Chicago was an incredibly corrupt place, so I wasn't too surprised when one of my cases lead back to a sergeant on the vice squad. For a week I followed him on his daily route, and everywhere he went he collected money and/or junk. I went to my district supervisor (a man who made black addicts get down on their knees and pray for salvation) but he told me to shut up.

"So I learned there are limits set by City vice squads. I learned that through the vice squad, kickbacks are funneled to the top. The bosses knew exactly what was happening and actually controlled where the drugs went, by having the dealers rat each other out. In big cities like New York, Chicago and Los Angeles certain neighborhoods were controlled by political machines, working with the Mafia. There wasn't a drug deal on the South Side of Chicago that didn't pass through the police to the politicians."

"Most were corrupted by the lure of the underworld," Pera says. "They thought they could check their morality at the door——then go out onto the streets and lie, cheat and steal——then come back to the offices and retrieve it. But that's almost impossible. Only a few could do that." ■

This story on the drug war was written by Douglas Valentine, who is finishing a history of the Federal Bureau of Narcoticstitled Strength of the Wolf. *Although it is hard to find, we strongly recommend to CounterPunch readers Doug's history of the CIA's assassination scheme in Vietnam,* The Phoenix Program. *Two members of the CounterPunch team, Alex Cockburn and Jeffrey St. Clair, found Valentine's work invaluable for their just published* Whiteout: The CIA, Drugs and the Press, *available to CounterPunch readers at a substantial discount, $18 , postage included.*

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(**Grand Bois**, *continued from page 1)*

and damage to the environment may occur even where operations are in compliance with currently applicable State and Federal requirements."

The EPA's 1987 report assumed that under stricter rules, 10 percent of oil field waste would be considered hazardous. And if—perish the thought—the oil industry was denied its exemption, no less than 70 percent would be hazardous. Following a hallowed technique in such surrenders to the energy industry, the EPA's report estimated that the removal of the exemption might cost the oil industry as much as $12 billion a year, with $6.4 billion passed on to U.S. consumers. Hence the EPA's inevitable bottom line. Denying the exemption would be "impractical." Besides, "most states have adequate regulations." Since then, many states have patched up this hole with regulations judging the sludge on what's in it, but not Louisiana.

Louisiana Governor Mike Foster's own relationship with the industry has been especially intimate. In 1997, Foster received more than half a million dollars in royalties from oil and gas companies, the bulk of his personal income.

State Sen. Dr. Mike Robichaux, a Democrat, has been the Grand Bois community's most vocal advocate and a constant goad in the fatted rumps of state agencies. Last year, he held hearings and pushed bills in a failed attempt to close the waste site.

Dominique traveled to Baton Rouge to testify at the hearings and was astonished by the hordes of lobbyists lining the halls. "The oil field lobbyists were like sausages in a smoke house. You had to weave through them to get by."

Robichaux enlisted the help of Dr. Patricia Williams, the director of the Occupational Toxicology Outreach Center at Louisiana State University. Williams duly studied children and some of the adults in Grand Bois. The people of Grand Bois, she concluded, have abnormal red blood cells and white blood cell counts. Some children have high levels of lead in their blood, and others have arsenic in their urine. "These abnormalities are consistent not only in that they are there month after month, but they are widespread among many different children and adults."

Williams said the wind often blows the carcinogens from the oil waste piles into the air. Air monitors read these as very low amounts, but "if you drop a little bit every day, guess what? It doesn't take a rocket scientist to know this piles up," Williams says. "You don't wait for the 25 years it may take for the cancer from arsenic. You don't wait for the birth defects to come."

"You don't wait for the 25 years it may take for the cancer from arsenic. You don't wait for the birth defects to come."

In the trial, Exxon's attorneys argued that the waste was "all the same." There may be carcinogens in the waste, they argued, but at such low levels that they're harmless. But the state's Department of Natural Resources' testing shows that certain waste streams often greatly exceed limits on toxins imposed on other industries. Under EPA guidelines, if benzene exceeds five-tenths of a milligram per liter, it's hazardous. According to the DNR's recent study, in four of the waste types, 50 percent or more of the samples exceed this mark.

The DNR will continue to collect waste samples until September 30. Its staff will then determine the "safe levels" for different toxins. Here, the average concentration out of many samples is what's important. Although officials won't call the waste dangerous, they accept that some samples will be much higher in toxicity than what they consider acceptable.

Of course, if it really is all the same, as Exxon's lawyers had argued, there wouldn't be any point in finding an average. Asked if restrictions were forthcoming after the department does the risk analysis, a state regulator responded, "You want to pay $10 for a gallon of gas my man? It's economics cut and dried."

Jack Caldwell, head of the DNR and a veteran oil industry attorney, says that waste streams found to be especially toxic would be subject to "special treatment" before being dumped, a process he called "too complicated to explain." But he did say that it wouldn't be sent to a hazardous treatment plant.

Robichaux has a copy of an article Caldwell wrote in April for The American Oil and Gas Reporter. "We do not want anybody to stop operating because of these testing rules," Caldwell wrote. If someone feels that the rules were hindering their business, that person ought to "give us a call: We will work something out."

Few things demonstrate the department's fealty to the industry as well as this, Robichaux says. Under Caldwell's guidance, the agency has issued few fines and, instead, has focused on "compliance assistance".

Fed up with the state and oil companies that seem aligned against them, Grand Bois residents will keep fighting to convince the state that it's the waste keeping them sick.

"I don't know how you're going to prove it," Matherne said. "In my opinion somebody's going to have to die. But even if someone did, the state's going to blame it on something else." ■

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